

**Minutes**  
**BURGLAR ALARM BOARD**  
**Room 474**  
**November 2, 2006 – 9:00 a.m.**  
**Heber Wells Bldg.**  
**160 East 300 South, Salt Lake City, Utah**

**CONVENED:** 9:00 a.m.

**ADJOURNED:** 12:22 p.m.

**PRESENT:**

Clyde Ormond, Bureau Manager  
Jacky Adams, Board Secretary

Board Members:

Larry Love	Scott Sessions
Harold Weight	Duff Astin

**ABSENT:**

**GUESTS:**

Craig Jackson, Division Director; William LaRochelle, Utah Burglar & Fire Alarm Association; Darren Miller, Protection One Alarm Monitoring; David Lassing, Professional Systems Technology.

**TOPICS FOR DISCUSSION:**

**DECISIONS AND RECOMMENDATIONS:**

Approve the Minutes of the May 4, 2006  
Board Meeting

Mr. Astin, seconded by Mr. Weight made a motion to approve the May 4, 2006 Board Meeting Minutes, the motion carried unanimously.

Approve the Minutes of the July 13, 2006  
Board Meeting

Mr. Astin, seconded by Mr. Weight made a motion to approve the June 13, 2006 Board Meeting Minutes, the motion carried unanimously.

Open and Public Meetings PowerPoint

Mr. Ormond preformed the “Open and Public Meetings” PowerPoint presentation. No further action was taken.

Re-elect Chairperson

Mr. Sessions, seconded Mr. Astin made a motion to re-elect Mr. Love as the Chairperson for the upcoming year, the motion carried unanimously.

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**APPOINTMENTS:**

9:15 a.m. – Integrated Alarm Services  
Group – Tupy, Michael QA

Mr. Tupy appeared before the Board to review his Change of Qualifying Agent application for Integrated Alarm Group Inc.

Mr. Astin, seconded by Mr. Weight made a motion to approve Mr. Tupy as the Qualifying Agent for this Company, the motion carried unanimously.

9:30 a.m. - Eagle Audio Video  
Mertz, Thomas QA

Mr. Mertz appeared before the Board to review, his application for reactivation of licensure as a Burglar Alarm Company with himself as the Qualifying Agent.

Mr. Astin, seconded by Mr. Weight made a motion to approve reactivation of licensure to this Company, contingent upon submission of a current “Certificate of General Liability Insurance”, the motion carried unanimously.

9:45 a.m.- Bowles, Jared

Mr. Ormond reviewed Mr. Bowles probationary file, explaining that Mr. Bowles has not met with this Board since May 5, 2005. Mr. Bowles’s MOU (Memorandum of Understanding) does not require him to meet with the Board nor does it give him a time frame to submit proof of completion of his court ordered probation.

Mr. Ormond will contact the Attorney Generals office to determine what actions can be taken, regarding this issue.

10:00 a.m. -Novasio, Robert

Mr. Novasio met with the Board for his scheduled probation interview. Mr. Ormond reviewed Mr. Novasio’s MOU and then questioned him on his current “Employer Report”. Mr. Novasio commented he would submit an “Employer Report” by the end of business on November 2, 2006.

Mr. Novasio will meet again with the Board on March 1, 2007 at 10:00 a.m.

A positive "Employer Report" was received from his supervisor Betty Cadena, of Cadena Inc.

10:15 a.m.- Nielsen, Michael

Mr. Nielsen did not appear before the Board for his scheduled probation interview. It was determined that since Mr. Nielsen has not met with the Board since November 3, 2005, he is not in meeting the requirements of his Stipulation and Order. A non-compliance letter will be sent requesting Mr. Nielsen to attend the next Board Meeting on January 4, 2007 at 9:30 a.m.

10:30 a.m. - Jensen, Jeron

Mr. Jensen met with the Board to review his application for licensure as a Burglar Alarm Company Agent. Mr. Jensen submitted a completed application on September 1, 2005 showing proof that on July 26, 2005, he pleaded guilty to Child Abuse. Mr. Jensen was ordered to pay a fine and complete an anger management course, which was completed on May 25, 2006.

Mr. Weight, seconded by Mr. Astin made a motion to issue full licensure to Mr. Jensen, the motion carried unanimously.

11:00 a.m. - Protection One Alarm  
Monitoring Inc. – Matthew Bergener QA

Mr. Bergener and Mr. Miller met with the Board to review Mr. Bergener's application to become the Qualifying Agent for Protection One Alarm Monitoring Inc. Mr. Ormond explained that a complete application was submitted to the Division on September 6, 2006.

Mr. Love explained to Mr. Bergener and Mr. Miller that as the Qualifying Agent for a Burglar Alarm Company Mr. Bergener must have the final say in all training, employment, and procedural issues. Mr. Bergener and Mr. Miller agreed commenting that Mr. Bergener would.

Mr. Astin, seconded by Mr. Sessions made a motion to approve Mr. Bergener as the Qualifying Agent for Protection One Alarm Monitoring Inc, the motion carried unanimously.

11:15 a.m. - Edouard, Andrea

Ms. Edouard met with the Board to review her application as a Burglar Alarm Company Agent in regards to her April 25, 2005, Retail Theft,

class B Misdemeanor charge. Ms. Edouard entered into a plea in abeyance agreement, which was later dismissed on April 27, 2006.

Mr. Weight questioned Ms. Edouard where she had completed her Community Service. Ms. Edouard explained that she worked for the Red Cross, and continues to do so when she is needed.

Mr. Session, seconded by Mr. Weight made a motion to issue full licensure to Ms. Edouard, the motion carried unanimously.

11:30 a.m. – Armor Digital Inc  
Horchem, David QA

Mr. Horchem appeared before the Board to review his Change of Qualifying Agent application for Armor Digital Inc. A complete application was submitted on October 24, 2006.

Mr. Astin, seconded by Mr. Weight made a motion to approve Mr. Horchem as the Qualifying Agent for Armor Digital Inc, the motion carried unanimously.

11:45 a.m. - Southard, Matthew

Mr. Southard met with the Board to review his application for licensure as a Burglar Alarm Company Agent, as it relates to his July 2005 charges:

- 1) Fleeing, Felony
- 2) Off-Highway Vehicle on Roadway, class C Misdemeanor

Mr. Southard entered into a plea in abeyance agreement, which allowed both of these charges to be dismissed on July 26, 2006.

Mr. Southard explained that he had learned his lesson, right after he was charged he sold his ATV.

Mr. Sessions commented that he did not feel Mr. Southard was a threat to the public. Mr. Sessions, seconded by Mr. Astin made a motion to issue full licensure, the motion carried unanimously.

12:00 p.m. - Oldham, Robert

Mr. Oldham met with the Board to review his application for licensure as a Burglar Alarm Company Agent. Mr. Oldham submitted a complete application on May 9, 2006 due to an

October 3, 2000, Driving Under the Influence Reduced to Alcohol Related Reckless charge his application was denied. Mr. Oldham appealed the Divisions decision on June 13, 2006. The appeal was later remanded to the Division for further review.

Mr. Ormond explained the circumstances around this charge stating that, Mr. Oldham had thought that his charge was removed from his record, and would not be an issue for the Division. Mr. Oldham then stated that he will be expunging this charge, but it may take up to one year for this to be accomplished.

Mr. Aston, seconded by Mr. Sessions made a motion to issue full licensure to Mr. Oldham, based on the age of the charge, the motion carried unanimously.

12:15 p.m. - Positive Protection LLC  
Garcia, Alexander QA

Mr. Garcia met with the Board to review his application for licensure as a Burglar Alarm Company, with himself as the Qualifying Agent. Mr. Garcia has been working with Card Access and Closed Circuit Television systems since 2002. A complete application for Positive Protection was submitted to the Division on September 7, 2006.

Mr. Love questioned Mr. Garcia how he is securing his files, since the Company shares office space with another company. Mr. Garcia commented he would add a Card Access lock to his office, which will protect the files. The Board thought this was a sufficient action to take.

Mr. Session, seconded by Mr. Astin made a motion to approve licensure for Positive Protection LLC with Mr. Garcia as the Qualifying Agent, the motion carried unanimously.

1:30 p.m. – Professional Systems Technology  
Inc Chris Mc Bride QA

Mr. McBride met with the Board to review his application for licensure as a Burglar Alarm Company with himself as the Qualifying Agent. Mr. McBride has been a Burglar Alarm Agent since 1997.

Mr. Astin, seconded by Mr. Sessions made a motion to approve licensure to Professional Systems Technology Inc with Mr. McBride as Qualifying Agent contingent upon, Mr. McBride passing the Utah Burglar Alarm Qualifying Agent and Law and Rule exams, and submitting a Resume. Professional Systems Technology must also submit a current "Certificate of General Liability" policy, and registration with Workforce Services, the motion carried unanimously.

#### **DISCUSSION ITEMS:**

##### **Salt Lake Tribune – Article**

Mr. Ormond reviewed a "Salt Lake Tribune" article, which explained that several Police Agencies in the Valley have a "verified response policy". A survey was conducted on behalf of the Alarm Industry Research & Education Foundation. The survey showed that eighty-five percent of respondents feel that police agencies should respond to all alarms prior to verifying that there is a crime in progress. This survey was conducted to challenge, one of the agencies comments that citizens within that city are satisfied with this policy.

Mr. Weight asked how an agency could verify that there is not a crime in progress if the alarm is not responded to. Mr. Love stated that his Burglar Alarm Company will contact the owner of the property, then the owner has the choice to respond to the alarm or the company can respond. Mr. Astin then added that Utah has the lowest false alarm rate in the US. This is due to the Alarm Companies and the Police Agencies working together.

##### **NBFAA Code of Ethics**

Mr. Ormond questioned the Board if adding the NBFFA (National Burglar & Fire Alarm Association) Code of Ethics to Division Rule would be beneficial to this profession. Mr. LaRochelle commented that the NBFFA Code of Ethics is incorporated into the Utah Burglar & Fire Alarm Associations Code of Ethics.

The Board determined to table this issue until after Legislature in May 2007.

Mr. LaRochelle commented that he had attended the NBFAA annual meeting in New York, the last week in October 2006. He commented that NBFAA is pushing to standardize training and licensure for all States.

- 1) Initial training for all Agents, this training will be given in person and on-line.
  - a. A four-year apprenticeship prior to licensure.
  - b. Which can progress to Journeymen's license
- 2) Requiring CE (Continuing Education) Hours for renewal of licensure.
- 3) Licensure requirements for Closed Circuit Television and Card Access systems

NBFAA is hoping this plan will be accepted in all States, they are hoping that it will promote better Commerce for this profession. Mr. Sessions commented that he could see one big problem, when this same type of system was implemented in California, Oregon, and Washington several years ago it became very difficult to keep and train employees, which forces wages up. Mr. LaRochelle agreed stating that the first six years the employment base does shrink. However, after several years the industry is starting to increase its employment base. Further stating that the system seems to work, quality of work goes up, and the customers seem happier. Mr. Love then asked if NBFAA would be the only trainer. Mr. LaRochelle stated yes, adding that he was not going to push NBFAA one way or the other on this issue.

Mr. Ormond commented that this would require separate licensure for installers, sales, monitoring. Mr. LaRochelle agreed. Mr. Ormond stated that there is a lot to look at with this system: type of CE for each level of licensure, and who can do the training.

Mr. LaRochelle then informed the Board that Representative Sheryl Allen would be sponsoring the handyman bill.

Mr. Holman did not attend this meeting. This issue was tabled until the next meeting on January 4, 2007.

**CORRESPONDENCE:**

Utah Law & Rule Pass Rates

Reviewed, with no further action taken.

Utah Qualifier, Law and  
Rule Exam Pass Rates

Reviewed, with no further action taken.

**NEXT SCHEDULED MEETING:**

January 4, 2007

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DATE APPROVED

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CHAIRPERSON, BURGLAR ALARM BOARD

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DATE APPROVED

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CHAIRPERSON, BURGLAR ALARM BOARD